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REMARKS

In response to the office action, please amend the claims as set forth above.

Claims 23 to 28 are currently under examination. Claims 23, 27 and 28 are amended in this response and no new matter has been introduced by the amendments. Claim 23 has been amended to include the second deflector, previously set forth in claims 27 and 28. Since this feature was already in the claims, it should prompt no new requirement or finding for a new search or consideration. For clarification, and to distinguish the deflectors, they have been designated in the amended claims as "first" and "second" deflectors.

In view of the above, the Examiner is requested to enter the amendments into the application under 37 CFR 116. It is submitted that the amended claims place the application in condition for allowance.

The claims were also previously amended to clearly recite that the apertures are in the wall between the inner and outer surfaces of the wall. The configuration of the wall defines apertures that allow discharge of water at the different angles. This is clearly different from Pougnet which does not discharge

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water from the apertures in the wall but rather from nozzles in the form of extension pipes projecting outwardly from the wall of the vertical pipe b.

The Examiner does not seem to recognize this important distinction. The claimed apertures are formed only between the inner and outer surfaces of the wall. The shape of the aperture determines the type of deflection. In Pougnet, the apertures are for the purposes of allowing access to the pipe-style nozzles as best seen in Figure 3 of Pougnet.

In the amended claims, claim 23 clearly recites that the nozzle has a wall with inner and outer surfaces and that the apertures comprising the water deflectors are formed only in the wall of the nozzle between these inner and outer surfaces. They are not extension pipes as pipes a in Pougnet. Pougnet shows no such structure with respect to the apertures, and does not in fact have apertures of the type claimed in the present application.

In essence, Pougnet discloses a watering apparatus comprising a pipe and nozzles which are pipes themselves leading from the pipe. The water does not emerge from the watering apparatus at the outer surface of the wall. Rather, the water

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emerges at the remote end of the pipe connected to the outer surface of the wall.

The Examiner argues that Pougnet shows apertures between the inner wall surface and the outer wall surface. However, the water does not exit the vertical pipe *b* from the apertures to the outside ambient area. The water exits these apertures and is lead into the nozzles.

It is submitted that the arguments set forth above, together with the amendments to the claims that the nozzle of the invention has (1) a first and second deflector, and (2) the apertures are *only* in the walls between the inner and outer surfaces thereof, clearly distinguish from Pougnet. Therefore, Applicant respectfully submits that the amended claims clearly define patentable subject matter over the Pougnet disclosure.

In view of the claim amendments and the technical discussion presented herein, favorable reconsideration of the claims and allowance of the application is respectfully requested.

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If anything further is required, the Examiner is invited to contact the undersigned at telephone number (818)710-2788.

Respectfully submitted,



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Enclosed: Petition and check  
(sent by mail on same date as this fax)

Certificate of Facsimile (37 CER 1.8):

I hereby certify that this correspondence is being transmitted by facsimile to Commissioner of Patents, P O Box 1450, Alexandria, VA 22313-1450 on May 29, 2007, facsimile number (571)273-8300.



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